

**Town of Nolensville
Planning Commission Meeting
Regular Meeting
July 13, 2006
7:00 P.M.
At Nolensville Elementary School**

Members in attendance were as follows: Matt Happel, Jimmy Alexander, Larry Gardner, Frank Wilson, Willis Wells, Tommy Dugger, Bob Haines, John Boyd and Rick Owens. Staff present was Henry Laird, Richard Woodroof, Bob Notestine, and Angela Deal.

Agenda Item I- Meeting called to order by Willis Wells

Agenda Item II- Pledge of Allegiance

Agenda Item III- Approval of Minutes:

Larry Gardner made a motion to amend June 8, 2006 Planning Commission Meeting minutes to reflect that there is to be no parking on either side of the street for the first 7 lots in Nolen Park. Matt Happel seconded the motion; passed unanimously.

Frank Wilson made a motion to amend the minutes to correct the portion regarding the Vice Chairman nomination to reflect that the motion passed with 6 for and Frank Wilson abstaining. Mayor Dugger seconded the motion.

Frank Wilson made a motion to approve the minutes with the two amendments. Larry Gardner seconded the motion; passed unanimously.

Mayor Dugger made an announcement welcoming Rick Owens to the Planning Commission.

Agenda Item IV- Citizens Comments

Beth Valentine-4549 Saw Mill Place (Bent Creek) stated that she and a group of other homeowners had concerns regarding a service road that has been put in parallel to Saw Mill Place. She stated that the road brings up safety issues for children due to heavy equipment that is parked there and aesthetic issues as well. The road is taking up green space and area for children to play and hindering the completion of the pocket park that would allow for a play area. She is asking for someone to look into the issue and find a better alternative.

Vickie Nielson-4532 Saw Mill Place (Bent Creek) stated that when she bought her home she was told that the access road would only be there during Phase 1 and now it still remains. She states it is an eye sore as there is broken equipment parked on the road. It is a mud pit and there is garbage lying around. She also stated that it is a safety issue as well.

James Highers with Joelton Excavating spoke representing the developer, Donald Cowan, of McFarlin Woods. His issues were with going from a performance bond to a maintenance bond and also with construction traffic from Ballenger Farms onto the roads into Section 4 of McFarlin Woods that are in the process of being repaired. He was asking for the possibility of having the road coming into McFarlin Woods from Ballenger Farms barricaded to keep construction traffic off of the roads.

Lindell Carroll- 717 Cowan Drive of McFarlin Woods expressed his concerns over the road conditions and when they will be brought to town standards as other roads in the town have been completed.

Ken Norman- 4544 Saw Mill Place (Bent Creek) stated that there is a safety issue regarding the service road running behind their home on Saw Mill Place. He understands that the reasoning for the road being placed behind their home was so that the recently topped roads would not be damaged, but that the road runs along the side of their home as well and leaves very little area for their children to play. He would like to see another alternative.

Rich Woodroof stated that he spoke with Sterling Earhart and Bill Kottas and asked that they clean up the area and that construction equipment not be parked on the road.

Joe Curtsinger- 7380 Nolensville Road stated that there is a concern regarding the shortage of water and ensuring our residents are provided with clean, safe drinking water. He feels it is the Town commissioners and leaders responsibility to make sure that this happens. He stated that it is important that a water availability letter be acquired prior to a concept plan being considered and referenced Britain Downs.

Rich Woodroof commented that Britain Downs availability letter was a staff overview, but that an availability letter would be needed to proceed with any construction. A policy has since been set that for a sketch plat or concept plan to be considered a water availability letter will be required by the Town.

Tracy Kujawa- 9840 Sam Donald Road stressed her opposition to a proposed development for 95 lots by Beazer Homes surrounding her property. She stated that the construction and development would be detrimental to her equine assisted therapy program that she offers for chronically ill children at the Angel Heart Farm. She would like the Board, community and builders to keep that in mind.

Agenda Item V- **New Business**

A. Subdivision Reviews

1. Haley Industrial Park, Phase Three, Lot 17, Final Plat

Henry Laird stated that this establishes one new lot in the Haley Industrial Park fronting on Nolensville Road that would not require any public improvements. The land has been rezoned to CS/CCO after being annexed into the Town. All site concerns such as stormwater management and access will be addressed when specific site plan approval is requested. This lot should stand independently from the rest of the industrial park expansion that will be considered under Phase 4.

Mayor Dugger made a motion to approve the Haley Industrial Park, Phase Three, Lot 17, Final Plat. Jimmy Alexander seconded the motion; passed unanimously.

2. Sketch Plan, Beazer Homes at Sam Donald Road

Henry Laird stated that Beazer Homes is proposing a 95 lot, straight subdivision to be located on 77.77 acres that will lay North of Sam Donald Road on part of the Walter and Heidi Kaye property and South of the Benington Subdivision project. He stated that at this time staff would not recommend going forward until a water availability letter could be provided, and also of special concern is the conflict with our Major Thoroughfare Plan that calls for a proposed extension of Waller Road through this property. The proposed road,

more than likely, cannot be implemented due to Benington being approved by the County before the Major Thoroughfare Plan was approved.

Vince Bianco with Stantec addressed the Board seeking feedback on what issues or concerns they had prior to their submittal of preliminary plat. He commented that the proposed project is submitted under the existing Suburban Residential District and meets the minimum lot size of 20,000 square feet and a 90 foot lot width at the building area, as well as 10% open space which are compliant with the requirements. He stated there would be some instances that they would need to seek a variance, one being for the maximum block lengths, as our requirements reflect for the SR District an 800 foot block length, and they will have two situations where the minimum block lengths are 1700 feet and 1200 feet. Additionally, they will seek a variance for the minimum cul de sac length from 700 feet to 2200 feet due to the physical arrangement of the property. He also commented on the Major Thoroughfare Plan tentatively requiring a major collector road in a North/South direction to cross the area, and they have provided a 60 foot right of way easement for the proposed road. They would like the Planning Commission to consider the ongoing evaluation by the traffic engineer to see if that collector road would stay in that particular location.

Some comments from the Board were regarding the entrance not being 90 degrees, the straight road with no break posing speeding issues, and maybe providing some buffering from the look of the neighborhood off of Sam Donald Road and the proposed new collector road conflict. Additional comments and concerns will be sent to the attention of Rich Woodroof and conveyed to Stantec.

B. Zoning Amendment Considerations

1. Request for rezoning of 7149 Nolensville Road

Henry stated that the request submitted by Kelley Properties is asking that parcel be rezoned to a CS/CCO district from the currently zoned ER district.

Mr. Kelley stated that their intentions are not to put any new buildings on the property, but to renovate the existing building.

Rich Woodroof stated that the county had approved the property for retail sales and services and is considered a nonconforming use. He stated it meets our land use policy plan for commercial use and that staff recommends approval.

Frank Wilson stated that the application is incomplete due to a witness signature by an adjacent property owner not being completed and all adjacent property owners were not listed.

Mr. Kelley requested a withdrawal of the application to allow for corrections to the application.

2. Garage Design Limit Criteria

Henry Laird presented to the Board a recommendation to consider garage restrictions for straight subdivisions, SR zones in Section 2.2.2 of the Zoning Ordinance to add the requirement that states the minimum amount of side or rear entry garages shall be 70% and front entry garage facings shall be setback a minimum of 3' from the front building façade.

Bob Haines commented that perhaps the Board should consider adding a minimum net useable space to the garage criteria. It was determined that particular criteria would be considered/discussed further at a later date amongst staff.

Larry Gardner made a motion to approve adding the garage criteria to state the minimum amount of side or rear entry garages shall be 70% and front entry garage facings shall be setback a minimum of 3' from the front building façade to Section 2.2.2 of the Zoning Ordinance. Matt Happel seconded the motion; passed unanimously.

3. Village District Discussion

Henry Laird stated that our Village District currently allows for residential dwelling units; single family homes and town homes (attached dwellings 2-6 units) and commercial use. He suggested that the Board may want to discuss the possibility of amending our Village District to allow residential dwelling units on upper floors above other uses under conditions on parking, screening equipment, access, architectural, etc. as there have been inquiries on whether we allow residential units above stores in the Village and this may become an issue in the future.

Lynda Moses-2230 Rocky Springs Road stated that she has heard a lot of concern about allowing for residential units above the commercial businesses. Merchants have indicated they are concerned about not knowing who moves into the units and for the safety of their things that they leave outside their buildings that cannot be moved in and out at night.

Jimmy Alexander suggested that we consider making a requirement that the dwelling above the business is owner occupied or persons that lease the building occupy the unit.

After much discussion, it was determined that the Board will forward their suggestions and concerns to the staff.

4. Article 5 Changes

Rich Woodroof stated that the recommended changes to Article 5 pertain to the flood plain regulations and would bring our Zoning Ordinance up to FEMA standards.

Bob Haines made a motion to approve the Article 5 changes that pertain to the flood plain regulations to meet FEMA standards as proposed by Rich Woodroof. John Boyd seconded the motion; passed unanimously.

C. Site Plan Reviews

1. Design Review Committee

In Beth Weaver-Lothers absence, Matt Happel stated that the Design Review Committee's goal is to try to keep the feel of the town in consistency of what it is now. The Committee will work on architectural designs for commercial buildings and mixed use developments, and recommend standards that can be adopted as part of the Zoning Ordinance.

2. Best Management Practices

Rich Woodroof stated that the Best Management Practices Guidelines for Stormwater Management is part of the MS4 milestone that that we need to achieve. He proposed that we accept Williamson County's Best Management Practices Guidelines as our own as an appendix to our Stormwater Ordinances.

Mayor Dugger made a motion to approve the Best Management Practices Guidelines be added as an appendix to our Stormwater Ordinances. Rick Owens seconded the motion; passed unanimously.

Agenda Item VI- **Old Business**

Willis Wells made an announcement to notify Angela Deal of whether they would like to attend the TNAPA conference in September.

Agenda Item VII- **Other Business**

A. **Monthly Bond Report**

Rich Woodroof stated that the current bond amount for the developments is \$5,219,270. The next bond coming due is a maintenance bond for Corinthian Homes which will expire September 30, 2006. He stated a letter will be sent out notifying them of the upcoming expiration and need for extension. He commented that Bent Creek Phase 1 Section 4B is asking to take their performance bond to a maintenance bond.

Frank Wilson made a motion to approve the monthly bond report. Jimmy Alexander seconded the motion; passed unanimously.

Mayor Dugger addressed the Feed Mill concerns and stated he has received a lot of calls concerning the Mill and the changes to the outside. He stated that they pressure washed the outside which changes the way the Mill looks, and that the Town has no control over things like that, but stated everyone is required to abide by the same rules, and that no one is given a "free pass" to do whatever they please.

Mayor Dugger also commented on the water concerns and stated that he spoke with Charles Strasser with the water company and was assured that all projects that were approved have plenty of domestic water availability, but that they would like to regulate irrigation.

Agenda Item VIII- **Adjournment**

Being no further business to come before the Planning Commission the meeting was adjourned at 9:07 P.M.

Larry Gardner
Secretary for the Planning Commission

Date